

Pondera County FSA
406 N Main Street
Conrad, MT 59425-2706

County Committee Members

John Bergstrom
Jay Hardman
Greg Kellogg
Mike Stone, Advisor
Martha Orcutt, Advisor

FSA Office Personnel

Duane Van Dyke, CED
Donna Fowler, PT
Candace Balkenbush, PT
Cheryl Laisnez, PT
Tracy Mullaney, PT
Lacey Patterson, PT
Kurt Dalman, Temp.
Ed Daugherty, FLM

Dates to Remember:

May 15-Aug. 1 – Primary nesting season

Notice of Loss – 15 calendar days following disaster

June 15 – Nominations Open for COC election

July 16 – Deadline to submit 2006 NAP production reports

July 16 – Acreage report deadline

August 1 – Deadline for reconstitutions

August 1 – Last day to file COC nomination forms at the local FSA office

August 3 – Signature deadline on 2007 Direct and Counter-cyclical Program (DCP)

September 28 – Final date for late filed 2007 DCP contracts

November 2 – COC ballots will be mailed to eligible voters

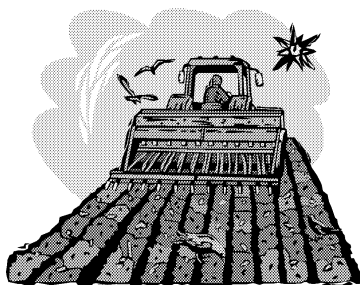
December 3 – Last day to return voted COC ballots to the FSA office



Pondera County FSA

June 2007

2007 CERTIFICATION



2007 Maps and Acreage Reports

Your 2007 certification maps have been recently mailed to you. Your acreage reports need to be accurate and filed by the final reporting date. **Please drop off your completed maps and worksheets by June 11, 2007.** If you are an all grass or CRP farm, please turn in your maps before this date.

Certification is mandatory if any of the following apply:

- ◆ You receive DCP payments
- ◆ You have acres enrolled in CRP
- ◆ Loans or LDP's will be requested; including Wool, Mohair and Honey
(All cropland on the farm must be certified to be eligible for DCP and loan program benefits).
- ◆ Acreage is covered by NAP

All acreage reports need to be **filed and signed by the final reporting date of July 16, 2007.** Failure to report accurately may result in loss of program and price support benefits.

Measurement Service Charges

On farm measurement is charged at:

- Basic farm fee of \$30.00;
- Plus an hourly rate of \$16.00 for the first hour and \$8.00 for each additional ½ hour after the first hour. The minimum is 1 hour.

The hourly rate includes the time to travel from the FSA county office to the farm, complete the measurement service and return to the county office.

An "Initial Fee" is required at the time the measurement service is requested and the fee must be collected before the measurement service is performed. The initial fee will be the basic rate plus the hourly minimum. Once the service has been completed the actual fee will be calculated. The initial fee will be subtracted from the calculated fee and a letter will be sent informing you of the additional amount owed. If the amount is \$9.99 or less then an additional fee is not required.

In-office measurements are charged at:

- a basic farm rate of \$15.00 plus a 30-minute minimum rate of \$8.00.

Bin site measurements will be calculated according to the farm number and the physical location of the bins:

- for one farm with multiple bin sites, only one FSA-409 (a written request to have acreage measured by FSA) is required;
- for multiple farms and all the grain is stored in bins at one site, only one FSA-409 is required where the bin site is physically located;
- for multiple farms with a different bin site for each farm, a separate FSA-409 is required for each farm and bin site.

2007 Final Year of DCP Program Under 2002 Farm Bill

The sign-up deadline for the 2007 Direct and Counter-cyclical Program has been extended from June 1 to August 3, 2007.

The decision to extend the deadline was made as a result of earlier computer networking problems that hampered FSA's ability to process DCP enrollments. Enrollment in DCP for the 2007 contract period began on October 1, 2006.

The extension applies only to the enrollment time frame and does not extend the annual DCP contract period beyond September 30, 2007. A late-file fee of \$100 will be assessed for farms that are enrolled after August 3, 2007 but no later than September 30, 2007. Applications filed after September 30, 2007 cannot be approved.

Direct Payments are based on a farm's historical commodity bases and yields. For crop year 2007, an advance payment of 22 percent may be requested with the final payment to be issued in October.

Counter-cyclical payments are made to producers when the effective price for eligible commodities is less than the target price.

We encourage you to sign up early to avoid the \$100 late file fee. Contact the office to set up an appointment.



Removing CCC Loan Collateral

Producers are reminded, if you have grain under Commodity Credit Corporation (CCC) loan it cannot be removed or disposed of without prior FSA county office staff authorization or repayment. The county office staff may issue release authorizations based on a telephone or in person request when you are ready to move the grain. A loan violation is subject to monetary and administrative penalties, such as repaying the loan at principal plus interest, liquidated damages, calling the loan and denial of future farm-stored loans and loan deficiency payments.

All commodity loans are subject to spot check. Locking in a market loan repayment rate is not a marketing authorization. If you are planning to move CCC loan grain, contact the county office staff for additional information.

Farm Loans for Minority Groups

FSA can make direct and guarantee loans to groups considered as minorities under USDA definition. These groups include women, African Americans, American Indians, Alaskan Natives, Hispanics, and Asian Americans and Pacific Islanders. Funds can be used to buy and operate family-sized farms and ranches.

Individuals and entities primarily and directly engaged in farming and ranching on family-sized operations may apply. A family-sized farm is considered to be one that a family can operate and manage itself. Applicants must meet all requirements for FSA's regular farm loan program assistance. Contact the FSA office for exact criteria.

Repayment terms for direct operating loans depend on the collateral securing the loan and usually run from 1 to 7 years. Interest rates for direct loans are set periodically according to the Government's cost of borrowing. Repayment terms for direct farm ownership loans are up to 40 years. Interest rates for guaranteed loans are established by the lender. Applications for direct loans are made through the local FSA office. Applications for guaranteed loans are made with the lender.

Maintenance on Conservation Reserve Program (CRP) Acres

The Farm Service Agency State Committee has established the following minimum acreage policy for management activities and maintenance on CRP acreage that applies to mechanical operations to improve the stand and inter-seeding:

- If the total acreage of a CRP contract is 80 acres or less, management activities and maintenance is allowed to be completed on the total acres.
- If the total acreage of a CRP contract is over 80 acres, management activities and maintenance is limited to 50 percent of the total acres.

This policy was established by the FSA State Committee to address hardships caused on "small acre" CRP contracts. Misuse of this policy could result in the State Committee retracting this policy.

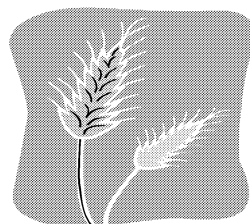
Hull-less Barley and Oats

As harvest draws near you may begin asking questions about loans and Loan Deficiency Payments (LDP's) on your crops.

Hull-less barley and hull-less oats are not eligible for 2007 price support activities.

According to the United States Grain Standards Handbook (Book II, Barley & Oats) detailed definition of barley and oats, the term "barley" shall not include hull-less or black barley.

Since the hull-less variety does not meet the definition of barley or oats, it is considered to be a non-standardized grain and therefore not eligible for LDPs or Marketing Assistance Loans (MALs).



Farm Reconstitution

A completed farm reconstitution to divide or combine farms will result in the termination of the Direct & Counter Cyclical Program (DCP) contract. The farm producers may enroll the base acres for a crop year by signing a new DCP (CCC-509) for the resulting farm (s). This must be done by August 3 or 30 days after written notification that the farm reconstitution has been completed. If a CCC-509 is signed between August 3 and September 28, a \$100 user fee will be assessed. The fee is waived if the reconstitution is requested by August 1 and all signatures are obtained within 30 days following the written notification. The failure to timely enroll the base acres may result in loss of payments.

Foreign Buyers Notification:

The Agricultural Foreign Investment Disclosure Act (AFIDA) requires all foreign owners of United States agricultural land to report their holdings to the Secretary of Agriculture. FSA administers this program for USDA. Foreign persons who have purchased or sold agricultural land are required to report the transaction to FSA within 90 days of the closing. Failure to submit the AFIDA form could result in civil penalties up to 25% of the fair market value of the property.

County government offices, realtors, attorneys and others involved in real estate transactions are reminded to notify foreign investors of these reporting requirements.

AFIDA was enacted to establish a nationwide system to monitor ownership and purchases of U.S. agricultural land by foreign persons.

LOAN and LDP Violations

Incorrect Certification is either of the following:

- ❖ Certifying a quantity in excess of the quantity eligible for loan or LDP
- ❖ Making any fraudulent representation with respect to obtaining loans or LDPs.

Unauthorized Removal is the movement of any farm-stored loan quantity from the storage structure where the commodity was stored or structures that were designated when the loan was approved to any other storage structure whether or not the structure is located on the producer's farm without prior written authorization from the COC. Unauthorized removal is considered a violation if the producer does not maintain control of the commodity or CCC loses first lien on the collateral.

Unauthorized Disposition is the conversion of any loan quantity pledged as collateral for a farm-stored loan without prior written authorization from the COC.

Consequences of Loan and LDP Violations may be:

- ❖ Assessment of liquidated damages and other administrative actions, and shall be liable for monetary amounts as specified in the applicable regulations and terms and conditions of the applicable forms.
- ❖ Criminal prosecution under Federal Law.



Loan Deficiency Payment Requests (LDP) on CCC-633ez

The 633-EZ form is a two-part loan deficiency payment request that allows producers to:

- Indicate their intentions to receive LDP benefits before losing beneficial interest in the eligible commodity, and
- Submit a request for an LDP at any time during the loan/LDP availability period before or after losing beneficial interest.

By signing the first page of the EZ form, the producer indicates his or her intentions to receive LDP benefits. This one page covers all counties and all eligible harvested commodities for the entire crop year for the individual, joint operation or entity identified on the form.

Once the first page of the form has been signed and submitted, the producer can submit an LDP request by completing page 2 for all harvested commodities, or page 4 for wool, mohair and unshorn pelts. The LDP request can be submitted at any time during the loan availability period, before or after losing beneficial interest.

Page 1 of the EZ form must be signed before beneficial interest in the commodity is lost. Once beneficial interest is lost the commodity is ineligible for an LDP even if beneficial interest is regained.

All producers are encouraged to submit page 1 of the EZ for each crop year whether or not they plan to subsequently request a loan or LDP.



Mixed Grain/Hay Loan LDP Eligibility

USDA does not establish loan rates for mixed commodities. A mixed commodity harvested as grain that does not meet grading standards is not eligible for a loan or Loan Deficiency Payment (LDP). A mixed commodity that is hayed or harvested as silage is not eligible for an LDP.

Eligibility for Grain/Oilseeds/Pulse Crops Harvested as **Grain** – If a mixed commodity is harvested as grain and a farm-stored loan or LDP is applied for, a sample of the harvested crop must be taken to a licensed Federal Grain Inspection Service (FGIS) laboratory for grading, at the producer's expense. Loan or LDP eligibility will be determined based on the results of the sample.

Eligibility for Grain/Oilseeds/Pulse Crops Harvested as **Other Than Grain** – If the mixed commodity is harvested as hay or silage, there is no test to determine the percentage of each commodity in the mixture to establish the grade and class. Therefore, crops planted in a mixture and hayed or harvested for silage are not eligible for an LDP.

A commodity planted as a nurse crop with alfalfa may be eligible for an LDP if a full seeding is planted and the commodity is reported as the intended use for grain or forage. The County Committee may require documentation to support the seeding rate.

COC Election Approaching

Beginning **June 15, 2007**, nominations are being accepted for candidates for County Committee (COC) positions.

A county or area served by the COC is divided into local administrative areas (LAA). Each LAA is represented by one member on the county committee. Only one LAA holds an election each year. This year the LAA open in Pondera County is the portion of the county lying east of I-15.

Please remember that as a county committee member you are the local voice of how FSA programs are administered to meet your local community and resource needs.

FSA-669A (03-08-06) Page 2

Form Approved - OMB No. 0560-0229

FSA-669A
(03-08-06)U.S. Department of Agriculture
Farm Service Agency**NOMINATION FORM FOR COUNTY FSA COMMITTEE ELECTION**

1. NAME OF NOMINEE (Type or print Nominee's Full Name)

2. ADDRESS OF NOMINEE

TO BE COMPLETED BY COUNTY FSA OFFICE5. INITIALS OF EMPLOYEE RECEIVING FORM AND DATE
(MM-DD-YYYY)**3. NOMINEE'S CERTIFICATION***I hereby agree to have my name placed on the ballot, that I will serve if elected, and if there is a conflict of interest, I will resign such position.*☐ I DO want to witness the settling of tied votes with another nominee.☐ I DO NOT want to witness the settling of tied votes with another nominee.

6A. COUNTY

6B. LAA NO.

7. STATE

4A. SIGNATURE OF NOMINEE

4B. DATE (MM-DD-YYYY)

**DATE OF ELECTION IS 1st MONDAY OF DECEMBER
OF EACH CALENDAR YEAR****8. TO BE COMPLETED BY NOMINEE**

VOLUNTARY INFORMATION FOR MONITORING PURPOSES: The following information is requested by the Federal Government in order to monitor FSA's compliance with federal laws prohibiting discrimination against program participants on the basis of race, color, national origin, religion, sex, marital status, handicapped condition, or age. You are not required to furnish this information, but are encouraged to do so. This information will not be used in evaluating your nomination or to discriminate against you in any way.

ETHNICITY☐ Hispanic or Latino☐ Not Hispanic or Latino**RACE (Choose as many boxes as applicable)**☐ America Indian or Alaska Native☐ Asian☐ White☐ Black or African-American☐ Native Hawaiian or Other Pacific Islander**GENDER**☐ Male☐ Female**INSTRUCTIONS FOR COMPLETING THIS FORM**

Complete the form as follows:

ITEM 1 Type or Print the nominee's full name. The nominee must be:

- A. Eligible to vote in the designated County FSA Committee election.
- B. Eligible to hold the office of County FSA Committee member.
- C. Willing to serve if elected.

ITEM 2 Enter the nominee's current address.**ITEM 3** The nominee must check one of the boxes to indicate a preference regarding the settling of tied votes.**ITEM 4** The nominee must sign and date.**ITEM 8** Completing this item is voluntary.**ALL FORMS MUST BE RECEIVED IN THE COUNTY OFFICE OR POSTMARKED BY AUGUST 1.**

NOTE: The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a) and the Paperwork Reduction Act of 1995, as amended. The authority for requesting the following information is 7 CFR Part 7. The information will be used to obtain nominees for County FSA Committee.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0560-0229. The time required to complete this information collection is estimated to average 5 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.

Landowner Method of Division

Definition of Designation by Landowner Method:

The designation by landowner method is the division of bases, allotments, and quotas in the manner agreed to by the parent farm owner and purchaser or transferee.

When This Method May Be Used: The designation by landowner method may be used when any of the following apply:

- Part of a farm is sold or ownership is transferred
- An entire farm is sold to 2 or more persons
- Farm ownership is transferred to 2 or more persons
- Part of a tract is sold or ownership is transferred
- A tract is sold to 2 or more persons
- Tract ownership is transferred to 2 or more persons.

Disaster Designation for Emergency Loans and Installment Set-Aside

Currently there are two Disaster Designations:

S2458--Application deadline is 07-09-07; Disaster Description is ongoing drought, extreme heat, excessive high winds, and hail.

S2491--Application deadline is 10-09-07; Disaster Description is drought incident period 01-01-06 and continuing and fire incident period 07-28-06 through 09-16-06.

These designations make farm operators eligible to be considered for low-interest emergency loans from FSA, provided eligibility requirements are met. FSA will consider each application on its own merit by taking into account the extent of losses, security available and repayment ability.

The installment set-aside option is for current Farm Loan Borrowers only. Under this program, you can delay any or all of your FSA farm loan payments due this year or next year. Loans with less than 2 years remaining are not eligible.

Please contact your local FSA office for further information.

Some Folks Feel the Rain
...Others Just Get Wet

James W. Moore



Pondera County FSA

406 N Main Street
Conrad, MT 59425-2706

Bulk Rate
US Postage
Paid
Permit #52
Conrad, MT

Inside this Issue

**2007 Certification
Deadline Extended for DCP
2007 Acreage Reports
Measurement Service Changes
Removing CCC Loan Collateral**

Important Dates to Remember

**May 15-Aug. 1 – Primary nesting season
June 15 – COC nominations open
July 16 – Acreage Reporting Deadline
August 1 – Reconstitution Deadline
August 3 – Signature deadline for 2007 DCP**

Responsibilities for CRP Contract Holders

CRP contract holders have certain responsibilities for carrying out the terms and conditions of the CRP contract. Those include, but are not limited to:

- ✓ Control all weeds, insects, pests and other undesirable species to the extent necessary to ensure that the establishment and maintenance of the approved cover is adequately protected and there is no adverse impact on surrounding land.
- ✓ Establish and maintain the required vegetative or water cover and other required practices.
- ✓ No activity may be conducted on CRP acres without authorization.
- ✓ Prior approval must be received from FSA before any harvesting, grazing or other commercial use of the forage may begin.
- ✓ If land with a CRP contract is sold, the new owners should notify the local county FSA office if they want to continue the contract.

If the land is sold and the new owner does not wish to continue the CRP contract, you will be required to repay all payments received on the contract plus interest and liquidated damages. Liquidated damages are equal to 25 percent of the annual rental payment on those acres not contracted by the new owner.